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4 Attorney for
Plaintiff

5 CHRISTOPHER HITCHCOCK
6 STATE BAR NO. 004523

7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

8 IN AND FOR THE COUNTY OF COCHISE

9 MARY HAYES, a single person,

No.

10
11 Plaintiff,

COMPLAINT
(Action to Quiet Title and to
Foreclose on Tax Lien)

12 v.

13 LS-MF INVESTMENTS, LLC, a defunct Arizona
14 Limited Liability Company, LISA L. SELLARS,
Trustee of the MARK FEATHERSTON
15 SUB-TRUST of THE LODEMA L. SELLARS
TRUST, LISA L. SELLARS, individually, and any
16 and all unknown heirs/devisees of her, and
COCHISE COUNTY TREASURER, an Arizona
17 Municipal Corporation.

18 Defendants.

19 COMES NOW the Plaintiff, by and through his attorney, LAW OFFICES OF
20 CHRISTOPHER HITCHCOCK, P.L.C., and for her Complaint against the Defendants alleges as
21 follows:

22 I.

23 The Plaintiff, MARY HAYES, is a single person, who owns a certain Certificate of Purchase
24 No.156080; that the real property which is the subject of this action is situated in the County of
25 Cochise, State of Arizona. Plaintiff claims an interest in the property set forth in Paragraph IV of
26 this Complaint which is hereinafter referred to as the "Property." On February 14, 2019, Plaintiff

1 caused notice of intention to file this action to be given pursuant to A.R.S. Sections 42-18201 and
2 18202.

3 II.

4 That Defendants, LS-MF INVESTMENTS, LLC, a defunct Arizona Limited Liability
5 Company, LISA L. SELLARS, Trustee of the MARK FEATHERSTON SUB-TRUST of THE
6 LODEMA L. SELLARS TRUST, LISA L. SELLARS, individually, and any and all unknown heirs
7 and/or devisees of her, and COCHISE COUNTY TREASURER, an Arizona Municipal Corporation,
8 appear to have some interest in said real property adverse to Plaintiff.

9 III.

10 The Defendants herein are sued on behalf of any marital community of themselves and their
11 spouses that might exist and that the obligations incurred by Defendants herein were a benefit to the
12 marital community of the Defendants.

13 IV.

14 That in order to pay for delinquent taxes legally levied and assessed against the Property,
15 together with interest, penalties and charges therein, the Cochise County Treasurer in 2018 did sell
16 a tax lien for delinquent taxes on certain real property described in Exhibit "A," incorporated herein
17 by reference. That on or about February 21, 2018, the Cochise County Treasurer did assign the
18 Certificate of Purchase relating to said property to Plaintiff. The Certificate of Purchase Number
19 156080 has been issued or lawfully assigned to Plaintiff here. A true and correct copy of the
20 Certificate of Purchase is attached as Exhibit "B" and incorporated herein by reference.

21 V.

22 That the sale referred to in Paragraph IV of this Complaint was valid and that the taxes due
23 and owing on the Property were delinquent at the time of said sale.

24 VI.

25 To date, the Property has not been redeemed from the sale thereof and Plaintiff is therefore
26 entitled to foreclose the rights of the Defendants, and each of them, to redeem the Property from the

1 sale; that Plaintiff is now the owner in fee of the Property, subject only to the rights of the
2 Defendants to redeem the Property and to pay to Plaintiff her costs incurred herein, plus reasonable
3 attorney's fees. That the Plaintiff is informed and believes that the Defendants have made or may
4 make some claim or claims adverse to the claim and rights of the Plaintiff for title and possession
5 of said real property, but such claim, other than the right to redeem pursuant to A.R.S. Section 42-
6 18151 et. seq., is without foundation.

7 WHEREFORE, the Plaintiff prays that this Court enter judgment as follows:

8 1. That if the said Defendants, or any of them, desire to redeem said Property from sale,
9 the Court shall order payment to the Plaintiff of costs incurred for title search, recording fees, Clerk's
10 filing fee, *lis pendens*, fee for service of process, together with reasonable attorney's fees, and the
11 amount for any assignment of Certificate and payment of subsequent taxes plus interest on said
12 amount at the rate of four and one-half percent (4.5%) per annum from the date paid by Plaintiff, and
13 that an attorney's lien for costs and attorney's fees be impressed upon said property as security
14 therefore: that the Court award Judgment in favor of the Plaintiff for costs incurred, together with
15 a reasonable attorney's fee to be determined by the Court pursuant to Arizona Revised Statutes §42-
16 18206;


17 2. That the Court declare that the sale of the Property, the Certificate of Purchase issued
18 pursuant to the sale, the assignment of the Certificate of Purchase and the service of process are all
19 valid; that at the sale of the Property which is described in Paragraph IV of this Complaint, the taxes
20 on said property were delinquent; that more than three (3) years have elapsed since the sale of the
21 Property on February 21, 2018, and the Property has not been redeemed; that the rights of the
22 Defendants and each of them to redeem the Property from said sale is forever foreclosed and the
23 Defendants are barred forever and estopped from having or claiming any right or title adverse to the
24 Plaintiff; that the Treasurer of Cochise County be commanded and ordered to execute and deliver
25 forthwith to the Plaintiff herein a deed conveying the Property which is described in the Certificate
26 of Purchase Number 156080.

DATED this 20th day of March, 2019.

By

STATE OF ARIZONA)
) ss.
County of Cochise)

MARY HAYES

 **EDWARD C. ZIMMERMANN**
Notary Public - Arizona
Cochise County
My Comm. Expires Nov 30, 2019

Notary Public